

CITATION – Certified Mail - TRC 99

COPY

THE STATE OF TEXAS: Cause No. 1104B

THE HJH CONSULTING GROUP D/B/A THE SALT GROUP VS. § IN THE 198TH DISTRICT COURT
HOLLINGSWORTH & VOSE COMPANY § OF
§ KERR COUNTY, TEXAS

TO: Hollingsworth & Vose Company 112 Washington Street East Walpole, MA 02032,
Defendant -GREETING

NOTICE TO DEFENDANT: "You have been sued. You may employ an attorney. If you or your attorney do not file a written answer with the clerk who issued this citation by 10:00 am on the Monday next following the expiration of 20 day after the date you were served this citation and petition, a default judgment may be taken against you." TRCP. 99

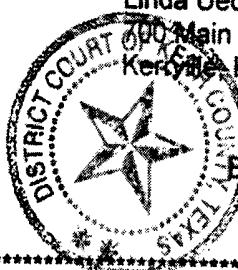
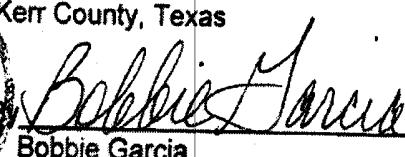
You are hereby commanded to appear by filing a written answer to the Plaintiff's Petition at or before 10:00 o'clock A.M. on the Monday next after the expiration of 20 days after the date of service of this citation. Said Plaintiff's Petition was filed in said court on the 5th day of January, 2011 in the above entitled cause.

The nature of Plaintiff's demand is fully shown by a true and correct copy of Plaintiff's Petition accompanying this citation and made a part hereof.

Issued and given under my hand and seal of said Court at Kerrville Texas on this the 6th day of January, 2011.

Attorney for Plaintiff or Plaintiff:
Stephen B Schulte
820 Main St Ste 100
Kerrville TX 78028

Clerk of the Court:
Linda Uecker, District Clerk
700 Main Street, Suite 236
Kerrville, Kerr County, Texas

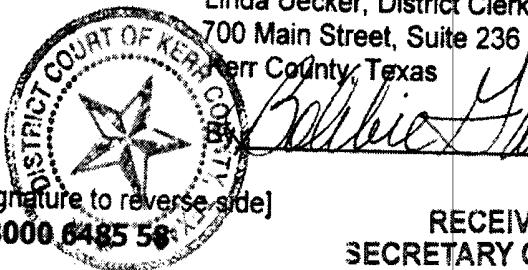

By 
Bobbie Garcia Deputy

CERTIFICATE OF DELIVERY BY CERTIFIED MAIL

Came to hand on the 6th day of January 2011 at 11:45 o'clock AM and executed the 6th day of January 2011 by mailing the same to **Secretary of State of Texas, Statutory Documents Section, Citations Unit**, by certified mail, with delivery restricted to addressee only, return receipt requested, a true copy of this citation with a copy of the petition attached thereto.

Fees \$65.00

Linda Uecker, District Clerk
700 Main Street, Suite 236
Kerr County, Texas



[Attach return receipts with addressee's signature to reverse side]
Secretary of State: 9121 9690 0699 3000 6485 58

RECEIVED
SECRETARY OF STATE

JAN 10 2011

2:30 PM
CITATIONS UNIT

194181

CAUSE NO. 1104B

COPY

THE HJH CONSULTING GROUP
dba THE SALT GROUP

v.

HOLLINGSWORTH & VOSE COMPANY

IN THE DISTRICT COURT

198th JUDICIAL DISTRICT

KERR COUNTY, TEXAS

PLAINTIFF'S ORIGINAL PETITION

Plaintiff The HJH Consulting Group, Inc. dba The Salt Group files this Original Petition against defendant Hollingsworth & Vose Company as follows:

Discovery Control Plan

1. Plaintiff intends to conduct discovery under Level 2 of Texas Rule of Civil Procedure 190.

Parties

2. Plaintiff The HJH Consulting Group, Inc. dba The Salt Group ("TSG") is a Texas corporation with its principal place of business in Kerr County, Texas.

3. Defendant Hollingsworth & Vose Company ("Hollingsworth") has engaged in business in this state, but does not maintain a regular place of business or a designated agent for service of process. This lawsuit arises out of the business done in this state and to which Hollingsworth is a party. Therefore, under section 17.044 of the Texas Civil Practice and Remedies Code, substituted service on Hollingsworth should be made by serving the Secretary of State of Texas, Statutory Documents Section, Citations Unit, P.O. Box 12079, Austin, Texas 78711-2079, and forwarded to Hollingsworth's principal office at 112 Washington Street, East Walpole, Massachusetts 02032.

At 10:12 FILED
O'clock A M

Plaintiff's Original Petition

JAN - 5 2011

Page 1

LINDA RECKER
District Clerk
Kerr County, Texas

By [Signature]

Jurisdiction And Venue

4. This court has jurisdiction over Hollingsworth because Hollingsworth purposefully availed itself of the privilege of conducting activities in Texas and established minimum contacts sufficient to confer jurisdiction over Hollingsworth, and the assumption of jurisdiction over Hollingsworth will not offend traditional notions of fair play and substantial justice and is consistent with the constitutional requirements of due process. TSG would also show that the cause of action arose from or relates to the contacts of Hollingsworth with Texas, thereby conferring specific jurisdiction with respect to Hollingsworth. Furthermore, TSG would show that Hollingsworth engaged in activities constituting doing business in the state of Texas as provided by section 17.042 of the Texas Civil Practice and Remedies Code because Hollingsworth contracted with a Texas resident and performance of the agreement in whole or in part thereof was to occur in Texas.

5. Venue is proper in Kerr County, Texas because a substantial part of the events or omissions giving rise to TSG's claims occurred in Kerr County, Texas, and this lawsuit involves a written contract that expressly names Kerr County as a place for performance.

Facts

6. TSG and Hollingsworth are parties to a Comprehensive Tax Service Agreement dated August 7, 2009. Hollingsworth has materially breached its payment obligations under the agreement. The sum of \$128,171.90 is currently due and owing, plus accrued interest as provided in the agreement.

7. All conditions precedent have been performed by TSG or have occurred.

8. Notwithstanding the fact that TSG has fully performed in accordance with the agreement, and despite repeated demand for payment, Hollingsworth has refused to pay TSG under the agreement. Hollingsworth's failure to pay is a material breach of contract.

9. TSG performed valuable services for Hollingsworth. TSG's services were accepted by Hollingsworth. TSG performed its services under circumstances that would reasonably provide notice to Hollingsworth that TSG expected to be paid for the reasonable value of the services. Hollingsworth would be unjustly enriched if it were allowed to retain the value of the services without paying for them. Accordingly, in the alternative, Hollingsworth is liable to TSG for the reasonable value of TSG's services.

10. As a result of the conduct of Hollingsworth, TSG has been required to retain the undersigned attorney and has agreed to pay him a reasonable and necessary fee. TSG is entitled to recover all reasonable and necessary attorney fees incurred in connection with the prosecution of this action, plus its costs of court.

11. This is an attempt to collect a debt. Any information obtained will be used for that purpose.

Prayer For Relief

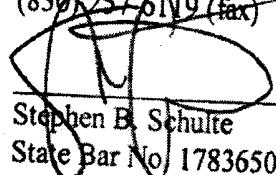
Plaintiff The HJH Consulting Group, Inc. dba The Salt Group requests:

1. Judgment for the amount due on the debt.
2. Judgment for accrued and unpaid interest on the debt before maturity.
3. Judgment for prejudgment and post-judgment interest at the highest rate allowed by law.
4. Judgment for reasonable attorney fees.

5. Judgment for all costs of court.
6. Judgment for all other relief to which it may be entitled.

Respectfully submitted,

STEPHEN B. SCHULTE, P.C.
Main Plaza One
820 Main Street, Suite 100
Kerrville, Texas 78028
(830) 896-3811
(830) 257-0119 (fax)


Stephen B. Schulte
State Bar No 17836500

Attorney for Plaintiff
The HJH Consulting Group, Inc. dba The Salt Group

CIVIL DOCKET SHEET
198TH DISTRICT COURT KERR COUNTY

CAUSE NO. 1104B TYPE OF ACTION: Accounts, Contracts, Notes

DATE FILED: 01/05/2011

NAME OF PARTIES

NAME OF PARTIES
THE HJH CONSULTING GROUP D/B/A THE SALT GROUP VS. HOLLINGSWORTH & VOSE COMPANY

Attorney's of Record

Plaintiff: Stephen B Schulte

Defendant: